

Practitioner's Docket No. \_\_\_\_\_

**PATENT**

**REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY  
(BY INVENTOR(S) OR ASSIGNEE)**

(complete A or B)

**A. ☒ DECLARATION BY THE INVENTOR(S)**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter that is described and claimed in letters patent number 5,906,750, granted on May 25, 1999, and for which invention I solicit a reissue patent on the invention entitled Method for dewatering sludge

the specification of which

☒ is attached hereto.

☐ was filed on \_\_\_\_\_, as reissue application number / and was amended on \_\_\_\_\_ (*if applicable*).

☒ I hereby declare that there is no assignee for this application.

NOTE: "Where no assignee exists, applicant should affirmatively state that fact. If the file record is silent as to the existence of an assignee, it will be presumed that no assignee exists." M.P.E.P., 6th ed., rev. 1, § 1410.01.

**B. ☐ DECLARATION BY ASSIGNEE**

NOTE: The assignee of the entire interest may make the declaration, if the reissue application does not seek to enlarge the scope of the claims of the original patent. 37 C.F.R. § 1.172.

\_\_\_\_\_  
(type or print name of declarant)\_\_\_\_\_  
Title

of \_\_\_\_\_,

Name of company or legal entity on whose behalf declarant is authorized to sign

declare that I am a citizen of \_\_\_\_\_ and resident of \_\_\_\_\_,

\_\_\_\_\_, that the entire title to letters patent number \_\_\_\_\_,

for \_\_\_\_\_,

granted on \_\_\_\_\_, 19\_\_\_\_ to \_\_\_\_\_

Inventor(s)

is vested in \_\_\_\_\_

Name of company or legal entity

that I believe said named inventor(s) to be an original, first and sole inventor (*if only one name is listed*) or an original, first and part inventor (*if plural names are listed*) of the subject matter that is described and claimed in the aforesaid letters patent and in the foregoing specification and for which invention I solicit a reissue patent.

09866145-052501

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

(37 C.F.R. § 1.175)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

- ☒ In compliance with this duty, there is attached an information disclosure statement in accordance with 37 C.F.R. § 1.98.

**PRIORITY CLAIM**

*NOTE: A "claim" for the benefit of an earlier filing date in a foreign country under 35 U.S.C. 119(a)-(d) must be made in a reissue application even though such a claim was made in the application on which the original was granted. However, no additional certified copy of the foreign application is necessary. M.P.E.P., 6th ed., rev. 1, § 1417.*

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

(complete C or D)

- C. ☒ No such applications have been filed.  
D. ☐ Such applications have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION**

Country	Application No.	Date of filing (day, month, year)	Date of issue (day, month, year)	Priority Claimed
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION****BENEFIT OF PROVISIONAL APPLICATION**

(Reissue Application Declaration and Power of Attorney [17-6]—page 2 of 6)

**STATEMENT OF INOPERATIVENESS  
OR INVALIDITY OF ORIGINAL PATENT**

(37 C.F.R. § 1.175)

That I believe the original patent to be

☐ partly☒ wholly

inoperative or invalid by reason of (37 C.F.R. § 1.175(a)(1)):

(check all items that may apply)

☐ a defective specification☐ a defective drawing☒ the patentee claiming more or less than the patentee had a right to claim in the patent.*NOTE: At least one error must be relied upon as the basis for the reissue. 37 C.F.R. § 1.175(a)(1).*

That the error listed above, which are being corrected, up to the time of the filing of this reissue declaration arose without any deceptive intention on the part of the applicant. (37 C.F.R. § 1.175(a)(2).

*NOTE: For any error corrected not covered by this declaration applicant must submit, before allowance, a supplemental declaration stating that every such error arose without any deceptive intention on the part of the applicant. 37 C.F.R. § 1.175(b)(1).*☐ Corroborating affidavits or declarations of others accompany this declaration.

### POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

*(list name and registration number)*

THE MATTHEWS FIRM	
Guy E. Matthews	24,173
William E. Johnson, Jr.	22,719
William P. Ramey, III	44,295
Robert M. Bowick, Jr.	46,569

*(check the following item, if applicable)*

- ☐ I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.
- ☐ Attached, as part of this declaration and power of attorney, is the authorization of the above-named practitioner(s) to accept and follow instructions from my representative(s).

#### SEND CORRESPONDENCE TO

☒ Address

THE MATTHEWS FIRM  
1900 West Loop South  
Suite 1800  
Houston, TX 77027

☐ Customer Number \_\_\_\_\_

#### DIRECT TELEPHONE CALLS TO:

*(Name and telephone number)*

Robert M. Bowick, Jr.  
(713) 355-4200

(Reissue Application Declaration and Power of Attorney [17-6]—page 4 of 6)

**ADDED PAGE TO COMBINED DECLARATION AND POWER  
OF ATTORNEY FOR REISSUE APPLICATION FOR AUTHORIZATION OF  
ATTORNEY(S) TO ACCEPT AND FOLLOW INSTRUCTIONS  
FROM REPRESENTATIVE**

The undersigned to this declaration and power of attorney hereby authorize(s) the U.S. Attorney(s) named herein to accept and follow instructions from

\_\_\_\_\_  
Name(s) of authorized representative(s)

~~Richard Alan Haase~~\_\_\_\_\_  
Address

P.O. Box 623, Sugarland, TX 77487-0623

as to any actions to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney(s) and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U.S. attorney(s) will be so notified by the undersigned.

(Added Page to Combined Declaration and Power of Attorney for Reissue Application for Authorization of Attorney(s) to Accept and Follow Instructions from Representative [17-6.1])



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Attorney's Docket No.: PAT-HAASE-SLUDGE

Of: Richard A. Haase, sole inventor

For: Method for Dewatering of Sludge

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Box Patent Application

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(b)) -- INDEPENDENT INVENTOR**

Honorable Commissioner:

As below named sole inventor, I, Richard A. Haase, hereby declare that I qualify as independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled Method for Dewatering of Sludge described in the specification filed herewith.

I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention follows: NONE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

As a person signing below, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, or any patent issued thereon, or any patent to which this verified statement is directed.



Richard A. Haase  
Sole Inventor

Date: 9/25/96

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT NO.	§	
5,906,750	§	DOCKET NO.: CLEARVALUE
	§	
ISSUE DATE: MAY 25, 1999	§	REISSUE CONTROL
	§	NO.: Unknown
INVENTOR:	§	
Richard Alan Haase	§	Filed: Herewith
	§	
	§	GROUP ART NO: Unknown
	§	
TITLE:	§	EXAMINER: Unknown
Method for Dewatering of Sludge	§	

The Honorable Commissioner  
of Patents & Trademarks  
Washington, D.C. 20231

DECLARATION OF RICHARD ALAN HAASE

RICHARD ALAN HAASE, the above named Petitioner declares:

1. He is a citizen of the United States of America residing at 4022 Ringrose Drive, Missouri City, Texas 77459;
2. THAT he has reviewed and understands the contents of the above-identified specification, including the claims;
3. THAT he verily believes himself to be the original, first, and sole inventor of the subject matter that is claimed in Letters Patent No. 5,906,750 and for which methods he solicits a patent;
4. THAT based upon his own personal knowledge and belief, said methods are neither known nor used in the United States before his invention thereof;
5. THAT he acknowledges that duty to disclose information that is matterial to the examination of this application in accordance with title 37, Code of Federal Regulations, Section

1.56 (a);

6. THAT Applicant verily believes the original patent to be wholly or partly inoperative or invalid by reason of the patentee claiming less than he had a right to claim in that only one of the five tests disclosed in the specification was claimed;

7. THAT such error arose without any deceptive intent on the part of Applicant, since it is clear from the written description of the invention that the a total of five different methods are disclosed in the specification are novel. The error was included in the claims of the application as originally filed and overlooked until the error was discovered during a review of the patent itself. The error arose out of, and as a result of, the following facts:

8. On or about January 19, 1999, my former patent attorney with the firm of Butler & Binion, L.L.P. notified me that the methods in the patent application that resulted in U.S. Patent 5,906,750 had been allowed.

9. Due to the recent commercial success of said methods, numerous infringers have begun practicing said methods. Confronted with said infringement, I recently sought to determine my rights to enforce the claims of U.S. Patent 5,906,750. In doing so, I determined that claim 1 of U.S. Patent 5,906,750 required the combination of four different chemical additives including a (1) polymeric quaternary ammonium compound, (2) aluminum sulfate, (3) ferric chloride, and (4) a polyacrylamide. Before moving to enforce U.S. Patent 5,906,750, I was led to believe that claim 1 required the addition of only two chemical compounds, not four. Thus, this inventive method was never meant to be limited to the combination of all four chemicals as described in claim 1, but only the limitation to the combination of (1) a polymeric quaternary ammonium compound or (2) aluminum sulfate or (3) ferric chloride and (4) a polyacrylamide, or blends thereof. The true nature of this inventive method and what I was led to believe was only the requirement that a

10. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

Inventor:

Richard Alan Haase

Inventor's

Signature:

Date:

5/24/01

Residence:

4022 Ringrose Drive, Missouri City, Texas 77459

Citizenship:

U.S.A.

Post Office Address: P.O. Box 623, Sugar Land, Texas 77487-0623